

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**IN RE: REALPAGE, INC. RENTAL  
SOFTWARE ANTITRUST LITIGATION  
(NO. II)**

Case No. 3:23-md-3071  
MDL No. 3071

**Honorable Waverly D. Crenshaw**

**Declaration of T. Roe Frazer II On Behalf  
of Frazer PLC in Support of Scott &  
Robins' Leadership Application**

**This Document Relates to: ALL CASES**

**DECLARATION OF T. ROE FRAZER II ON BEHALF OF FRAZER PLC IN SUPPORT  
OF  
SCOTT & ROBINS LEADERSHIP APPLICATION**

I, T. Roe Frazer II, pursuant to 28 U.S.C. § 1746, declare that the following is true and correct to the best of my knowledge and belief.

1. I am a member of and in good standing of Tennessee, Mississippi, and Alabama Bars. I am the senior partner of the law firm of Frazer PLC, counsel for plaintiffs in the following action, *Blosser v. RealPage, et al.*, 3:23-cv-00445, which is part of the above-captioned multidistrict litigation (the "MDL").

2. Pursuant to this Court's April 19, 2023 Order (Dkt. No. 3) and the May 31, 2023 Minute Entry, I submit this declaration in support of the Watters Plaintiffs' Leadership Application submitted by Scott+Scott Attorneys at Law LLP and Robins Kaplan LLP (the "Scott & Robins Leadership Application").

3. I have been a trial lawyer involved in complex litigation for 37 years. During that time, either I or members in my law firm have been appointed to leadership positions in many

different complex cases. Based on this experience and my understanding of the circumstances of this MDL, I support the Scott & Robins Leadership Application.

4. Currently, I serve on (a) the Plaintiff's Executive Committee in *In re: Aqueous Film-Forming Foams (AFFF) Product Liability Litigation*, MDL No. 2:18-mn-2873-RMG (D.S.C.), as well as on the discovery subcommittee and as Co-Chair of the Water Providers Committee; and (b) the Tribal Leadership Committee in *In re: National Prescription Opiate Litigation*, MDL No. 1:17-md-02804-DAP (N.D. Ohio). My law partner, Trey Frazer, currently serves on the Tribal Leadership Committee in *In re JUUL Labs, Inc. Marketing, Sales Practices, and Products Liability Litigation*, MDL No. 19-md-02913-WHO (N.D. Cal.). In many "mass tort" actions over the years, my focus has been on state court litigation in coordination with the corresponding MDL Plaintiff's Steering Committee.

5. In non-MDL class action litigation, I presently serve as Co-Class counsel in *Camille Lamar Roberts, Inc., et al. v. Rice Energy, Inc., et al.* (Court of Common Pleas Allegheny County, PA) (certified class of debenture holders). In completed class action litigation, I served as: (a) Co-Class Counsel in *Spencer, et al. v. Shell Oil Corp.*, (Circuit Court Greene County, Alabama) (polybutylene pipe); (b) Co-Class Counsel in *Branch et al. v. Weyerhaeuser, Inc., et al.* (dioxin property remediation); (c) assistance to class counsel in *In re Black Farmers Discrimination Litigation* (D.D.C.); (d) Co-Class Counsel in *Chapman, et al. v. Voestalpine USA Corp., et al.*, 2:17-cv-00174 (S.D. Texas) (air pollution).

6. I am familiar with the work of Scott + Scott Attorneys at Law LLP ("Scott+Scott") and Robins Kaplan LLP ("Robins"). Recently, in the national opiates MDL No. 2804, I served with two outstanding lawyers in the Robins firm, partners Tara Sutton and Tim Purdon. My experience with the Robins firm goes back to the days of tobacco litigation predating the national

settlement. In all cases with Robins, they have litigated the cases with the utmost professionalism, dedication, and efficiency, and keeping the client interests in the forefront of the litigation. They are eminently qualified to lead the Multifamily Plaintiffs in this MDL and I support the appointment of these two firms as interim co-lead counsel, as set forth in the Scott & Robins Leadership Application.

7. I am also familiar with the firms who are seeking appointment to the Plaintiffs' Steering Committee as part of the Scott & Robins Leadership Application. These law firms are all highly respected based on their substantial experience litigating complex antitrust class actions and achieving outstanding results for their clients and class members. I support the appointment of these firms to positions on the Plaintiffs' Steering Committee.

8. I am familiar with Tricia Herzfeld, Esq. of Herzfeld, Suetholz, Gastel, Liniski, and Wall, PLLC, as well as other partners in her law firm. I came to know Tricia in her prior law firm, having had occasion to observe her professional work as a litigator. Based upon this experience, I support the appointment of Ms. Herzfeld as Plaintiffs' Liaison Counsel, pursuant to the Scott & Robins Leadership Application.

9. Frazer PLC is available and willing to assist Scott & Robins Leadership team should they ask for our assistance in prosecuting this matter. I have been the lead trial lawyer during most of my career, having tried hundreds of cases, many to verdict, with my most recent (late 2021) a \$72 million verdict in a 12-plaintiff personal injury cancer, airborne dioxin case against a copper smelter.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2023

Nashville, Tennessee

**FRAZER PLC**



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